

MONTANA CRIME DEFINITIONS

ALL OTHER OFFENSES

All crimes which do not fall under the other 25 crime categories in this report.

ARSON (Crime Against Property)

To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

ASSAULT, AGGRAVATED (Crime Against Persons)

An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. This also includes assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

A "severe laceration" is one which should receive medical attention.

A "loss of consciousness" must be the direct result of force inflicted on the victim by the offender.

ASSAULT, SIMPLE (Crime Against Persons)

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

BURGLARY/BREAKING AND ENTERING (Crime Against Property)

The unlawful entry into an occupied building or other structure with the intent to commit an offense.

COUNTERFEITING/FORGERY (Crime Against Property)

The altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud.

CRIMINAL MISCHIEF/VANDALISM OF PROPERTY (Except "Arson")
(Crime Against Property)

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

CURFEW/LOITERING/UNGOVERNABLE (Crimes Against Society)

The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets or other specified areas; prohibiting persons from remaining in an area or place in an idle or aimless manner; or prohibiting persons from going from place to place without visible means of support.

DISORDERLY CONDUCT (Crime Against Society)

Any behavior that tends to disturb the public peace or decorum, scandalize the community, or shock the public sense of morality.

[Note: This offense includes "Affray," "Blasphemy," "Profanity," "Obscene Language," "Disturbing the Peace," and "Public Nuisance."]

DOMESTIC ABUSE (Crime Against Persons)

Where a person (a) knowingly or purposely causes bodily injury to a family member, household member or partner, or (b) purposely or knowingly causes reasonable apprehension of bodily injury to a family member, household member or partner.

DRIVING UNDER THE INFLUENCE (DUI) (Crime Against Society)

Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of

consuming an alcoholic beverage or using a drug or narcotic.

DRUG/NARCOTIC OFFENSES (Except "Driving Under the Influence") (Crimes Against Society)

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

EMBEZZLEMENT (Crime Against Property)

The unlawful misappropriation by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.

FAMILY OFFENSES, NONVIOLENT (Crimes Against Persons and Society)

Unlawful, nonviolent acts by a family member (or legal guardian) which threaten the physical, mental or economic well-being or morals of another family member, and which are not classifiable as other types of offenses, such as Assault, Incest, Statutory Rape, etc.

This offense includes "Abandonment"; "Desertion"; "Neglect"; "Nonsupport"; and "Nonviolent Abuse" and "Nonviolent Cruelty" to other family members. It also includes the nonpayment of court-ordered alimony, as long as it is not considered to be "Contempt of Court" within the reporting jurisdiction.

FRAUD OFFENSES (Except "Counterfeiting/Forgery") (Crimes Against Property)

The intentional perversion of the truth for the purpose of inducing another person, or other entity, in reliance upon it to part with some thing of value or to surrender a legal right.

GAMBLING OFFENSES (Crimes Against Society)

To unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase,

possess, or transport gambling equipment, devices or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

HOMICIDE OFFENSES (Crimes Against Persons)

The willful (non-negligent) killing of one human being by another. Does not include negligent manslaughter or justifiable homicide.

[Note: "Assault to Murder" and "Attempted Murder" are reported as Aggravated Assault.]

LARCENY/THEFT OFFENSES (Crimes Against Property)

The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another person. Includes: pocket picking, purse snatching, shoplifting, theft from building, theft from coin-op machine, theft from a motor vehicle, theft of motor vehicle parts, and all other Larceny.

LIQUOR LAW VIOLATIONS (Except "Driving Under the Influence" and "Drunkenness") (Crimes Against Society)

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages; or providing.

MOTOR VEHICLE THEFT (Crime Against Property)

The theft of a motor vehicle. Includes: automobiles, buses, recreational vehicles, trucks and other motor vehicles. Also includes unauthorized use of a motor vehicle.

PROSTITUTION OFFENSES (Crimes Against Society)

To unlawfully engage in or promote sexual activities for profit.

RAPE (Except "Statutory Rape")

The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of

giving consent because of his/her temporary or permanent mental or physical incapacity. Includes rape with an object and forcible sodomy.

ROBBERY (Crime Against Property)

The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

RUNAWAY (Persons under age 18) (Not a Crime)

A person under 18 years of age who has left home without the permission of his/her parent(s) or legal guardian.

SEX OFFENSES (Crimes Against Persons)

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Includes: statutory rape, forcible fondling and deviate sexual conduct, sexual abuse of children, incest and other non forcible sex offenses.

STOLEN PROPERTY OFFENSES (Crimes Against Property)

Receiving, buying, selling, possessing, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by Burglary, Embezzlement, Fraud, Larceny, Robbery, etc.

WEAPON LAW VIOLATIONS (Crimes Against Society)

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.